

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF JACKSON ENERGY)	CASE NO.
COOPERATIVE CORPORATION FOR AN)	2013-00219
ADJUSTMENT OF RATES)	

ORDER

On August 8, 2013, Jackson Energy Cooperative Corporation (“Jackson Energy”) tendered for filing an application for an adjustment of rates based on a historical test period. The application proposed that the rates become effective September 15, 2013. By letter dated August 21, 2013, the Commission notified Jackson Energy that its rate application contained six deficiencies and was rejected for filing. On August 27, 2013, Jackson Energy submitted additional information that cured five of the filing deficiencies and also submitted new tariff sheets with a proposed effective date of September 30, 2013.

On August 30, 2013, Jackson Energy filed a motion for a deviation, pursuant to 807 KAR 5:001, Section 21, to eliminate the remaining deficiency, which is for the notice of rates requirements under 807 KAR 5:001, Section 16(4)(a), with respect to one street light class. In support of its motion, Jackson Energy states that due to a clerical error, incorrect present and proposed rates were placed in notice to the Commission and published for its 35-foot Aluminum Pole for Cobra Head light. The notice of rates filed with the Commission has now been corrected and Jackson Energy states that there are no customers currently served under the affected rate class, nor have any customers ever

utilized that particular street light. Jackson Energy further states that it would incur significant expense in re-publishing its notice, which would be borne by its customers.

The Commission finds that as Jackson Energy has no customers in the affected rate class that its motion for deviation should be granted, and that Jackson Energy's application should be accepted for filing as of the date of this Order.

Pursuant to KRS 278.180(1), no change can be made by a utility in any rate except upon 30 days' notice to the Commission. Since KRS 278.180(1) requires Jackson Energy to provide the Commission with 30 days' notice of any change in rates, the earliest its proposed rates can become effective is October 6, 2013.

Based on a review of Jackson Energy's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that the investigation cannot be concluded by October 6, 2013. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for five months.

A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11) no later than September 20, 2013. A person who submits a motion to intervene after September 20, 2013, and who upon a showing of good cause is granted full intervention, shall accept and abide by the existing procedural schedule.

Based on a review of Jackson Energy's rate application, the Commission finds that:

1. Jackson Energy's deficiencies in its filing were partially corrected in its August 27, 2013 submission, except for its deficiency for 807 KAR 5:001, Section 16(4)(a).

2. Jackson Energy has shown good cause to permit it to deviate from the filing requirements of 807 KAR 5:001, Section 16(4)(a), its request for a waiver from that filing requirement should be granted, and its application should be accepted for filing as of the date of this Order. Jackson Energy should post its corrected notice at its place of business and on its website reflecting the corrections contained in its response to the deficiency letter.

3. An investigation will be necessary to determine the reasonableness of the proposed rates and the investigation cannot be concluded by October 6, 2013. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for five months, from October 6, 2013 up to and including March 5, 2014.

4. The procedural schedule attached in the Appendix should be followed.

IT IS HEREBY ORDERED that:

1. Jackson Energy's motion for deviation from the filing requirements of 807 KAR 5:001, Section 16(4)(a) is granted. Jackson Energy shall post its corrected notice at its place of business and on its website reflecting the corrections contained in its response to the deficiency letter.

2. Jackson Energy's application is accepted for filing as of the date of this Order.

3. Jackson Energy's rates are suspended for five months from the October 6, 2013 effective date up to and including March 5, 2014.

4. Jackson Energy shall file with the Commission no later than September 27, 2013, a copy of its affidavit(s) of publication and a copy of the notice it was published.

5. The procedural schedule set forth in the Appendix, which is attached hereto and incorporated herein, shall be followed.

6. a. Responses to requests for information shall be filed in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall be appropriately indexed and bookmarked and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and a paper copy to the Commission. Any request for information by letter from Commission Staff shall be responded to as if set forth in a Commission Order.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

7. Any party filing testimony shall file in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, with one paper copy to the Commission.

8. Jackson Energy shall publish notice of the hearing in this matter in accordance with the provisions set out in KAR 424.300 and 807 KAR 5:001, Section 9(2).

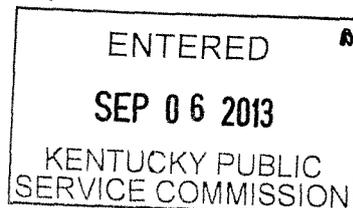
9. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

10. Any objections or motions relating to discovery or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

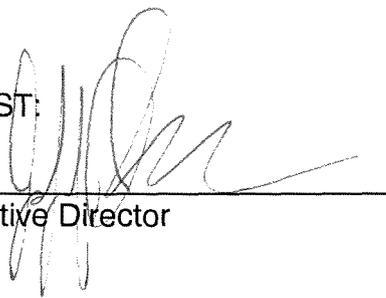
11. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

12. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2013-00219 DATED **SEP 06 2013**

Requests for intervention shall be filed no later than	09/20/13
All requests for information to Jackson Energy shall be filed no later than.....	09/27/13
Jackson Energy shall be file responses to requests for information no later than	10/11/13
All supplemental requests for information to Jackson Energy shall be filed no later than.....	10/25/13
Jackson Energy shall be file responses to supplemental requests for information no later than	11/08/13
Intervenor testimony, if any, in verified prepared form, shall be filed no later than.....	11/22/13
All requests for information to Intervenors shall be filed no later than	12/06/13
Intervenors shall file responses to requests for information no later than	12/20/13
Jackson Energy shall file, in verified form, its rebuttal testimony no later than	01/09/14
Public Hearing to be held in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of Jackson Energy and Intervenors.....	To Be Scheduled

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